

UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

REUBEN MCDOWELL,  
Plaintiff

v.

KEVIN A. DEPARLOS, *et al.*,  
Defendants

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:  
:  
: CIVIL NO. 1:15-CV-0487  
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*O R D E R*

AND NOW, this 3rd day of February, 2016, upon consideration of the report and recommendation of Magistrate Judge Saporito (Doc. 40) filed on January 7, 2016, to which no objections were filed, and upon independent review of the record, it is

ORDERED that:

1. Magistrate Judge Saporito's report and recommendation is ADOPTED.
2. Defendants' motion to dismiss (Doc. 32) is GRANTED.
3. Plaintiff's complaint (Doc. 1) is DISMISSED WITHOUT PREJUDICE.
4. Plaintiff has thirty (30) days from the date of this order to file an amended complaint.
5. This matter is remanded to Magistrate Judge Saporito for further proceedings, including the resolution of Plaintiff's pending motion for extension of time. (Doc. 42).

/s/William W. Caldwell  
William W. Caldwell  
United States District Judge